

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 19/2013

Date: 28 February 2013

Issuer's shortened name: KOPEX SA

Subject: **Significant agreement concluded by the Issuer's subsidiary Kopex Electric Systems SA with Kompania Węglowa SA**

Legal basis: Law on Offer, Art. 56, Par.1 Item 2 – current and cyclic information

#### Contents of the report:

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs that on 27.02.2013 has been aware of receiving by Kopex Electric Systems SA with its registered seat in Chorzów (the Issuer's indirect subsidiary) a significant agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreement dated 7.02.2013 are: Kopex Electric Systems SA – Contractor and Kompania Węglowa SA – Orderer.

The subject of the agreement is „Repair of systems and equipment of conveyors automatization for the branches of Kompania Węglowa SA in the years 2013 - 2014.”

Value of the agreement: PLN 1,025,907.20 + VAT

Term of the agreement: till 31.12.2014

#### Stipulated penalties:

The Contractor is obliged to pay the Orderer stipulated penalties:

- a) amounting to 10% of the net value of unrealized order in case of renouncing the realization of the order by one of the Parties due to the reasons caused by the Contractor,
- b) amounting to 0.1% of the net value of the order unrealized on time, for each day of delay.

The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the net value of the executory order in case of renouncing the realization of the order by one of the Parties due to the reasons caused by the Orderer.

The criterion of recognising an agreement as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital (the Issuer's equity capital amounts to 1,350,333 thou PLN, in compliance with data included in the published report for the thrid quarter of 2012) and fulfillment of the criteria set forth in Par.2 Cl.1 Item 44) and Par.2 Cl.2 of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...). In the past 12 months the Issuer's subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 150,438 thou PLN (including this one). The highest value agreement from among all the agreements signed in the past 12 months is the agreement the Issuer informed about in the current report RB 82/2012 dated 25.05.2012 that also

includes information relating to the highest value agreement set forth in Cl.9 Items from 1) to 7) of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...).

Legal basis for publishing: Cl.5 Par.1 Item 3 in relation with Cl.2 Par.2 and Cl.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and conditions of recognizing as equivalent the information required by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259 ze zmianami*).